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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, *et al.*,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 5:20-cv-03664-LHK-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF JOINT SUBMISSION IN
RESPONSE TO DKT. 331, 332 RE:
SEALING PORTIONS OF NOVEMBER
12, 2021 ORDER RE: SPECIAL
MASTER'S REPORT AND ORDERS ON
REFERRED DISCOVERY ISSUES**

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action.
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of the parties’
7 Joint Submission in Response to Dkt. 331, 332 re: Sealing Portions of November 12, 2021 Order
8 Adopting in Part and Modifying in Part the Special Master’s Report and Orders on Referred
9 Discovery Issues (“Order”). In making this request, Google has carefully considered the relevant
10 legal standard and policy considerations outlined in Civil Local Rule 79-5. Google makes this
11 request with the good faith belief that the information sought to be sealed consists of Google’s
12 confidential information and that public disclosure could cause competitive harm.

13 3. Google respectfully requests that the Court seal the redacted portions of the Order,
14 attached hereto as Exhibit A.

15 4. The information requested to be sealed contains non-public, sensitive confidential
16 business information related to Google’s internal technological systems that could affect Google’s
17 competitive standing and may expose Google to increased security risks if publicly disclosed,
18 including Google’s internal identifiers, systems, and operations that Google does not share publicly,
19 as well as particular internal data sources Google was ordered to search for data relating to Plaintiffs,
20 which Google maintains as confidential in the ordinary course of its business and is not generally
21 known to the public or Google’s competitors.

22 5. Such confidential information reveals Google’s internal systems and operations and
23 falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 61 at 2.

24 6. Public disclosure of such confidential information could affect Google’s competitive
25 standing as competitors may alter their system designs and practices relating to competing products,
26 time strategic litigation, or otherwise unfairly compete with Google.

27 7. On November 18 and 19, 2021, the parties conferred on the proposed redactions to
28 the Order. Plaintiffs take no position and do not oppose sealing the proposed redactions.

1 8. For these reasons, Google respectfully requests that the Court order the identified
2 portions of the Order to be sealed.

3 I declare under penalty of perjury of the laws of the United States that the foregoing is true
4 and correct. Executed in San Francisco, California on November 19, 2021.

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6 DATED: November 19, 2021

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

7
8 By /s/ Jonathan Tse
Jonathan Tse

9 *Attorney for Defendant*
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